

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
UNITED STATES OF AMERICA,
-against HO WAN KWOK,
a/k/a "Miles Guo,"
a/k/a "Miles Kwok,"
a/k/a "Guo Wengui,"
a/k/a "Brother Seven,"
a/k/a "The Principal,"
KIN MING JE,
a/k/a "William Je,"
Case No. 1:23-cr-00118-AT

MOTION TO HOLD BRADFORD L. GEYER ACCOUNTABLE FOR UNAUTHORIZED AND FRAUDULENT REPRESENTATION AND TO SEEK MONETARY SANCTIONS IN THE AMOUNT OF \$100,000

TO THE HONORABLE ANALISA TORRES, UNITED STATES DISTRICT JUDGE:

COMES NOW the undersigned movant, on behalf of the interests of Beibei Zhu, a customer of Himalaya Exchange (hereinafter "Himalaya"), Code in Himalaya Exchange HID: 2R5RWN2. respectfully submits this Motion requesting this Honorable Court to:

1. **Hold Bradford L. Geyer accountable** for fraudulently obtaining client representation rights over Ms. Beibei Zhu without proper authority or informed consent;
2. **Declare that Mr. Geyer lacked Pro Hac Vice or any admission** before the United States District Court for the Southern District of New York to appear on behalf of Ms. Zhu or any Himalaya customer at any time relevant to his purported representation;
3. **Impose sanctions and order restitution** in the amount of **\$100,000**, to redress the reputational, legal, and financial harm suffered by Ms. Zhu due to Mr. Geyer's misconduct.

FACTUAL BACKGROUND

1. Upon information and belief, attorney **Bradford L. Geyer** misrepresented himself to the Court and/or related parties as authorized counsel for **Beibei Zhu**, Code in Himalaya Exchange HID: 2R5RWN2. Himalaya customer and interested party in matters relating to the instant criminal proceeding.
2. Mr. Geyer did **not obtain the voluntary, informed, and written consent** of Ms. Zhu, nor was he ever retained by her, directly or indirectly.
3. Mr. Geyer did not obtain **Pro Hac Vice admission** or otherwise seek or receive authorization from this Court to represent Ms. Zhu in any capacity.
4. Despite this, Mr. Geyer submitted or referenced filings to the Court and/or made representations to third parties **falsely indicating** that he was representing Ms. Zhu and other customers of Himalaya.

5. As a result of these false claims of representation, Ms. Zhu suffered significant reputational harm, confusion over legal standing, potential waiver of rights, and **incurred financial losses and legal costs**, amounting to no less than **\$100,000**.

ARGUMENT

Mr. Geyer's actions violate numerous ethical and procedural obligations, including:

- **New York Rules of Professional Conduct**, Rule 1.2 and 1.4 (requiring informed consent of the client);
- **Federal Rule of Civil Procedure 11** (requiring truthfulness in representations to the Court);
- **Local Rules of the Southern District of New York**, including requirements for **Pro Hac Vice admission** before representation.

Acting as legal counsel **without proper client authority and court approval constitutes fraud**, and merits sanctions.

PRAYER FOR RELIEF

WHEREFORE, the Movant respectfully requests this Court:

1. Issue an Order **declaring that Bradford L. Geyer's representation of Ms. Beibei Zhu was unauthorized, unethical, and fraudulent**;
2. Impose monetary **sanctions in the amount of \$100,000** to be paid by Mr. Geyer to Ms. Zhu;
3. Refer this matter to the **appropriate disciplinary authorities** for further investigation;
4. Grant such other relief as the Court deems just and proper.

Exhibit A – Declaration by Ms. Beibei Zhu confirming that she never authorized Attorney Geyer to represent her and never signed any retainer agreement.

Exhibit B – Court filings submitted by Attorney Geyer showing that he claimed to represent clients of Himalaya Exchange.

Exhibit C – Court record screenshots confirming that Attorney Geyer did not apply for or obtain Pro Hac Vice admission.

Respectfully submitted

动议：要求追究Bradford L. Geyer律师未经授权及欺诈代理的责任，并请求判令赔偿10万美元

尊敬的Analisa Torres法官：

现由下列动议人，以喜交所客户朱蓓蓓（Beibei Zhu）女士，喜马拉雅HID: 2R5RWN2. 权益为基础，郑重向贵院提交本动议，请求法院：

1. 认定**Bradford L. Geyer**律师在未获得合法授权的情况下，欺诈性地取得代理朱蓓蓓女士的权利，并擅自代表其在本案中行事，构成严重不当行为；
2. 确认Geyer律师从未取得纽约南区联邦法院的出庭资格（**Pro Hac Vice**许可），却非法代理喜交所客户出庭；
3. 判令Geyer律师对朱蓓蓓女士的经济和声誉损失承担责任，并赔偿人民币等值的**10万美元**；

一、案件背景

1. 据了解，**Bradford L. Geyer**律师向法院或相关当事人表示其代表朱蓓蓓女士，喜马拉雅HID: 2R5RWN2参与涉及本案的诉讼事项。
2. 然而，朱蓓蓓女士从未聘请、授权或同意Geyer律师代表她，也未与其签署任何委托协议。
3. Geyer律师亦未依法向贵院申请并取得**Pro Hac Vice**临时出庭许可，因此无权在此案中代表朱女士或其他客户。
4. 尽管如此，Geyer律师在多项文件或言辞中，错误地声称其代表朱蓓蓓女士及其他喜交所客户。
5. Geyer律师的上述行为严重误导法院和公众，给朱女士造成了声誉受损、法律地位混乱和经济损失，初步估算不少于**10万美元**。

二、法律依据与分析

Geyer律师的行为违反了以下相关法律规定和职业道德规范：

- 《纽约州律师职业行为规范》第1.2条、第1.4条（要求取得客户知情同意）；
- 《联邦民事诉讼规则》第11条（要求向法院作出的陈述必须真实）；
- 纽约南区联邦法院的本地规则（要求外州律师办理**Pro Hac Vice**申请后方可出庭）。

未经许可擅自代理并以律师身份进行欺诈性陈述，构成对法院诚信制度的重大破坏，应依法予以追责。

三、请求事项

据上所述，动议人请求贵院：

1. 认定Bradford L. Geyer律师对朱蓓蓓女士的代理为未经授权且构成欺诈行为；
2. 判令其赔偿朱蓓蓓女士经济及名誉损失10万美元；
3. 将此行为移送至相关律师纪律委员会进行进一步调查和处理；
4. 给予动议人任何贵院认为适当的其他补充救济。

附件A – 朱蓓蓓女士出具的声明，确认其从未授权Geyer律师代表自己，亦未签署任何委托文件。

附件B – Geyer律师提交的法庭文件，内容显示其自称代理喜交所客户。

附件C – 法庭文件截图，确认Geyer律师未申请通过Pro Hac Vice资格。

此致

敬礼！

Bei Bei Zhu



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